

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Melissa Douglas, as Personal
Representative of Michael Douglas,
deceased,

Plaintiff,

v.

Case No. 14-11482

Pere Marquette Shipping Company,

Defendant.

Sean F. Cox
United States District Court Judge

ORDER REGARDING
MOTION TO APPOINT GUARDIAN AD LITEM (D.E. NO. 25)

This matter is currently before the Court on Plaintiff's Motion to Appoint Guardian Ad Litem (D.E. No. 25). In this motion, Plaintiff states that one of the decedent's surviving dependents, Kylee Renee Douglas, is a thirteen year-old minor. The motion asks the Court to appoint a guardian ad litem to represent the interests of Kylee Renee Douglas. The motion also asks the Court to appoint a guardian ad litem of Plaintiff's choosing, attorney Jeffrey Coval.

The Court further notes that Plaintiff has also filed a Motion for Order Approving Settlement and Distribution of Settlement Proceeds (D.E. No. 26), which has not yet been set for hearing.

The Court finds that oral argument would not aid the decisional process. *See* Local Rule 7.1(f)(2), U.S. District Court, Eastern District of Michigan. The Court therefore orders that the Motion To Appoint Guardian Ad Litem will be decided without a hearing.

The decision to appoint a guardian ad litem rests with the sound discretion of the district

court. *Black v. Koch Transfer Co.*, 1988 WL 117115 (6th Cir. 1988); *In re Kloian*, 179 F. App'x 262, 265 (6th Cir. 2006). Having reviewed the pending motion, the Court concludes that a guardian ad litem should be appointed for Kylee Renee Douglas in this action. Rather than appoint the requested attorney as guardian ad litem, however, the Court shall appoint an attorney who has previously served as a guardian ad litem for this Court in several other matters.

IT IS ORDERED that this Court **APPOINTS HOWARD LINDEN AS GUARDIAN AD LITEM** for Kylee Renee Douglas in this action. Plaintiff's counsel should contact Mr. Linden at 3000 Town Center **Suite 2200 Southfield, MI 48075, (248) 358-4545**.

IT IS FURTHER ORDERED that the Court shall hold the hearing on Plaintiff's Motion for Order Approving Settlement and Distribution of Settlement Proceeds on **May 3, 2016 at 2:30 p.m.** Mr. Linden shall submit his report on the adequacy, sufficiency, and distribution of the proposed settlement prior to the hearing.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: April 7, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 7, 2016, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager